

## **REMARKS**

Claims 1-68 remain in the application for consideration. In view of the following remarks, Applicant respectfully requests that the application be forwarded on to issuance.

## §102 and §103 Rejections

Claims 1-4, 8-10, 12, 15-19, 21-26, 28-33, 35-40, 42, 44-47, and 49-68 stand rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,248,946 to Dwek (hereinafter “Dwek”).

Claims 5, 6, 14, 20, 27, 34, 43, and 48 stand rejected under 35 U.S.C. §103(a) over Dwek in view of U.S. Patent No. 6,496,802 to van Zoest et al. (hereinafter “van Zoest”).

Claims 7, 11, 13, and 41 stand rejected under 35 U.S.C. §103(a) over Dwek in view of U.S. Patent No. 6,330,670 to England et al. (hereinafter “England”).

Before discussing the substance of the Office's rejections, a short discussion of Applicant's disclosure, as well as the Dwek reference is provided to assist the Office in appreciating the patentable distinctions in Applicant's various claimed embodiments.

### **Applicant's Disclosure**

Various systems and methods of Applicant's disclosure enable media content to be packaged and delivered, via a network, in a manner that can greatly enhance the user experience. In some embodiments, a packaging approach provides a downloadable file that contains different constituent parts that can be

1 processed by a software-implemented media player to provide a user with not only  
2 media content, but additional content that adds value to the media content.

3 Various of the described methods and systems can establish a relationship  
4 between media content and various other visual and audio content so that when a  
5 user downloads and plays media content, they are automatically presented with the  
6 various other content thus enriching their experience. In some embodiments,  
7 media delivery techniques and systems are also described that permit and facilitate  
8 media delivery in a manner that can be transparent to the user. In at least some  
9 instances, all the user has to do is click a link associated with the media content—  
10 ***everything else is done for them automatically.***

11 In one embodiment, an enhanced user experience is provided through the  
12 use of a file referred to as a “WMD” file for Microsoft “Windows Media  
13 Download.” A WMD file is characterized as a mechanism that enables a user to  
14 experience a “virtual album” through the use of a single file. Specifically, a WMD  
15 file enables delivery of a whole album’s worth of content – rather than just music  
16 or music files. In addition, in at least some embodiments, a download process can  
17 be specifically tailored to enhance the user experience by making the file  
18 acquisition process as easy as possible (*a “one-click” process*). Hence, a user,  
19 through the use of their browser, can click a link associated with the WMD file  
20 and have the entire contents of the WMD file downloaded to their computer and  
21 organized so that their media player can *automatically* begin playing the content.

22 For example, one embodiment is described in which a WMD file contains  
23 one or more media-specific files that can be used to render a media-specific  
24 experience, such as a visual experience, on the media player. *Media-specific files*  
25 can come in the form of borders or skins used by individuals, such as content

1 owners, to define a unique user experience when playing media content on a  
2 media player. The WMD file can also contain one or more *metafiles*, which, in at  
3 least some embodiments, are embodied as extensible markup language (XML)  
4 files that contain elements or tags that can be used to include information  
5 associated with playlists, tracks, borders and skins. The WMD file can also  
6 include one or more files associated with media content itself.

7 In at least one described embodiment, *media-specific files are inextricably*  
8 *linked with the media content with which they are associated in the WMD file by*  
9 *virtue of a relationship that is defined in the metafile.* By virtue of this  
10 relationship, any time the media content is played by the media player, the media-  
11 specific files (i.e. the skin or border) can be *automatically rendered and presented*  
12 to the user. In this manner, when the user plays a particular media or cause media  
13 to be played on their media player, they can be “flipped” into the associated skin  
14 or border. The media player *automatically* processes the WMD file and plays any  
15 media content files contained in the WMD file. In addition, if there are any skins  
16 or borders present in the WMD file, the media player causes them to be  
17 *automatically displayed* for the user. Hence, WMD files may be used to package  
18 a variety of data *into a single downloadable file.*

19 Further, in some embodiments, a download approach provides for the  
20 downloadable file to be link-accessed by a user, and *automatically downloaded,*  
21 *cataloged, and experienced by the user by clicking on a particular link* that is  
22 associated with the downloadable file.

1            **The Dwek Reference**

2            Dwek describes an on-line music delivery system. A media player,  
3            downloaded onto a user's personal computer, includes a user interface which  
4            allows a listener to search an online database of media selections and build a  
5            custom playlist of exactly the music selections desired by the listener. An online  
6            music library consists of a client interface server, an online music database of  
7            available songs or music selections, a plurality of song file servers and a plurality  
8            of translation/streaming servers.

9            The client interface server provides an Internet home page through which a  
10          new user may establish a connection with the online music delivery system. Also,  
11          the client interface server may allow a user to access the online music database of  
12          available music selections. In that case, the client interface server interfaces with  
13          the music player for allowing the user to browse or search the online music  
14          database.

15          The online music database lists all of the songs or music selections  
16          available through the online music delivery system. On-line translation/streaming  
17          servers provide the interface points for one or more users to access the music  
18          selections of the song file servers through the user's music player. The on-line  
19          translation/streaming servers receive song files in a raw uncompressed format  
20          from the song file servers, then compress the song files (on-line), and ***stream the***  
21          ***compressed song files across the Internet connection to the user's music player.***

22          When a user opens or launches the music player which is resident on his or  
23          her computer, the Internet interface establishes an Internet connection between the  
24          user's computer and the online music library. The audio interface interfaces the

1      ***decompressed song file*** from the decompressor to the audio processing  
2 components of the personal computer (the music player).

3      The player toolbar comprises one or more tools allowing a user to interact  
4 with aspects of the online music delivery system, including user controls for  
5 controlling the audio playback of music selections delivered through the online  
6 music delivery system. The music player toolbar comprises at least one pane for  
7 displaying an advertisement or other information to a user, and one or more player  
8 controls. In a preferred embodiment, the player toolbar includes an advertisement  
9 pane, an information pane, a player control pane, and several user interface  
10 buttons. The multimedia content delivery system is capable of delivering  
11 advertisements which remain visible on a user's computer display screen at all  
12 times when the application is open, for example, while music selections are being  
13 delivered to the user.

14     Hence, Dwek teaches an on-line music delivery system in which ***a user can***  
15 ***start*** a media player on their personal computer and ***interact with the on-line***  
16 ***music database.*** This system allows for advertisements to be delivered and  
17 displayed on, the user's computer display. When viewed in the context of the  
18 claimed subject matter, it becomes apparent that the claimed embodiments really  
19 pertain to subject matter that is quite different from the subject matter in  
20 Applicant's disclosure.

21

22     **Claims Rejected over Dwek under § 102**

23     **Claim 1** recites a method of providing a user experience when playing  
24 media on a media player comprising:

- downloading *a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated*;
- playing the media content with a media player; and
- automatically displaying the user interface when the media content is played with the media player.

In making out the rejection of this claim, the Office argues that Dwek anticipates the subject matter of this claim. Specifically, the Office argues that column 5, lines 21-24 discloses downloading a file that contains at least one media-specific file configured to provide a user interface, and media content with which the user interface is associated.

Applicant respectfully disagrees and traverses the Office's rejection. This excerpt of Dwek merely discusses a streaming music interface that receives compressed song files as data packets and formats them into a streaming compressed *song file*. No mention is made of *a file* that contains *at least one media-specific file and media content*, as claimed. Column 5, lines 21-24 is reproduced below for the Office's convenience:

The streaming music interface 220 receives compressed song files as data packets from the Internet interface 210 and formats the data packets into a streaming compressed song file.

This excerpt cited by the Office neither discloses nor suggests the subject matter of this claim. Accordingly, for at least this reason, this claim is allowable.

**Claims 2-7** depend from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither disclosed

1 nor suggested in the references of record, either singly or in combination with one  
2 another. In addition, given the allowability of claim 1, the rejection of claims 5  
3 and 6 over the combination with Van Zoest, and claim 7 over the combination  
4 with England, is not seen to add anything of significance.

5 **Claim 8** recites one or more computer-readable media having computer  
6 readable instructions thereon which, when executed by a computer, cause the  
7 computer to:

- 8     • download *a file that contains at least one media-specific file*  
9       *configured to provide a user interface, and song files with which*  
10      *the user interface is associated;*
- 11     • play the song files with a media player; and
- 12     • automatically display the user interface when the song files are  
13       played with the media player.

14     In making out the rejection of this claim, the Office argues that Dwek  
15 anticipates the subject matter of this claim. Specifically, the Office argues that  
16 column 5, lines 21-24 discloses downloading a file that contains at least one  
17 media-specific file configured to provide a user interface, and song files with  
18 which the user interface is associated.

19     Applicant respectfully disagrees and traverses the Office's rejection. This  
20 excerpt of Dwek merely discusses a streaming music interface that receives  
21 compressed song files as data packets and formats them into a streaming  
22 compressed *song file*. No mention is made of *a file* that contains *at least one*  
23 *media-specific file and song files*, as claimed.

24     The excerpt cited by the Office neither discloses nor suggests the subject  
25 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

1           **Claim 9** recites a media player comprising software code that is configured  
2 to:  
3

- 4
- 5     • download *a file that contains at least one media-specific file*  
6       *configured to provide a user interface, and media content with*  
7       *which the user interface is associated;*
  - 8     • play the media content; and
  - 9     • automatically display the user interface on at least a portion of a  
10      media player user interface when the media content is played with  
11      the media player.

12           In making out the rejection of this claim, the Office argues that Dwek  
13 anticipates the subject matter of this claim. Specifically, the Office argues that  
14 column 5, lines 21-24 discloses downloading a file that contains at least one  
15 media-specific file configured to provide a user interface, and media content with  
16 which the user interface is associated. Applicant respectfully disagrees and  
17 traverses the Office's rejection. As discussed above, no mention is made of *a file*  
18 that contains *at least one media-specific file and media content*, as claimed.

19           The excerpt cited by the Office neither discloses nor suggests the subject  
20 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

21           **Claims 10 and 11** depend from claim 9 and are allowable as depending  
22 from an allowable base claim. These claims are also allowable for their own  
23 recited features which, in combination with those recited in claim 9, are neither  
24 disclosed nor suggested in the references of record, either singly or in combination  
25 with one another. In addition, given the allowability of claim 9, the rejection of  
claim 11 over the combination with England is not seen to add anything of  
significance.

1           **Claim 12 recites a method of organizing media content comprising:**

- 2
- 3           • *providing at least one media-specific file that is configured to*  
4           *provide a user interface on at least a portion of a media player;*  
5           • providing at least one media content file configured for play on the  
6           media player; and  
7           • *associating the one media-specific file with the one media content*  
8           *file* such that any time the one media content file is played on the  
9           media player, the one media-specific file is processed to  
10          automatically display the user interface on at least a portion of the  
11          media player.

12

13          In making out the rejection of this claim, the Office argues that Dwek  
14          anticipates the subject matter of this claim. Specifically, the Office argues that  
15          column 5, lines 21-24 discloses providing at least one media-specific file that is  
16          configured to provide a user interface on at least a portion of a media player.  
17          Further, the Office argues that columns 5 and 6 disclose associating the one  
18          media-specific file with the one media content file such that any time the one  
19          media content file is played on the media player, the one media-specific file is  
20          processed to automatically display the user interface (citing column 5, lines 34-40  
21          and column 5, line 63 to column 6, line 6).

22

23          Applicant respectfully disagrees and traverses the Office's rejection. As  
24          discussed above, column 5 does not mention *at least one media-specific file that*  
25          *is configured*, as claimed. Furthermore, the cited excerpts from columns 5 and 6  
26          describe an embodiment of a user interface, including: toolbars, windows, panes,  
27          and handles. These portions do not disclose *associating a media-specific file*  
28          *with a media content file*, as claimed.

1 Since the excerpts cited by the Office neither disclose nor suggest the  
2 subject matter of this claim, for at least this reason, this claim is allowable.

3 **Claims 13-18** depend from claim 12 and are allowable as depending from  
4 an allowable base claim. These claims are also allowable for their own recited  
5 features which, in combination with those recited in claim 12, are neither disclosed  
6 nor suggested in the references of record, either singly or in combination with one  
7 another. In addition, given the allowability of claim 12, the rejection of claim 13  
8 over the combination with England, and claim 14 over the combination with Van  
9 Zoest, is not seen to add anything of significance.

10 **Claim 19** recites a method of organizing media content comprising:

- 11
- 12 • providing *at least one media-specific file that is configured to*  
*provide a media player user interface*;
  - 13 • providing at least one media content file configured for play on a  
media player; and
  - 14 • *associating the one media-specific file with the one media content*  
*file* such that any time the one media content file is played on the  
media player, the one media-specific file is processed to  
automatically display the media player user interface.
- 15

16

17 In making out the rejection of this claim, the Office argues that Dwek  
18 anticipates the subject matter of this claim. Applicant respectfully disagrees and  
19 traverses the Office's rejection. As discussed above, column 5 does not mention  
20 *at least one media-specific file that is configured*, as claimed. Furthermore, the  
21 cited excerpts from columns 5 and 6 do not disclose *associating the one media-*  
22 *specific file with the one media content file*, as claimed.

23

24 Since the excerpts cited by the Office neither disclose nor suggest the  
25 subject matter of this claim, for at least this reason, this claim is allowable.

1           **Claims 20-24** depend from claim 19 and are allowable as depending from  
2 an allowable base claim. These claims are also allowable for their own recited  
3 features which, in combination with those recited in claim 19, are neither disclosed  
4 nor suggested in the references of record, either singly or in combination with one  
5 another. In addition, given the allowability of claim 19, the rejection of claim 20  
6 over the combination with Van Zoest is not seen to add anything of significance.

7           **Claim 25** recites method of organizing content for a user experience  
8 comprising:

- 9           • *providing multiple different files that define different aspects of a*  
10           *media player user interface, at least some files being associated*  
11           *with media content and at least some other files being associated*  
12           *with visual content; and*
- 13           • *organizing the files for sending over a network to a client*  
14           *computer, said organizing using a hierarchical tag-based structure*  
15           to establish a relationship between the files such that when the media  
content is played by a media player, the visual content is automatically displayed as at least part of the media player user  
interface.

16  
17           In making out the rejection of this claim, the Office argues that Dwek  
18 anticipates the subject matter of this claim. Specifically, the Office argues that  
19 columns 5 and 6 disclose providing multiple different files that define different  
20 aspects of a media player user interface, at least some files being associated with  
21 media content and at least some other files being associated with visual content  
22 (citing column 5, lines 34-40 and column 5, line 63 to column 6, line 6). The  
23 Office further argues that column 15, lines 14-18 discloses organizing the files for  
24 sending over a network to a client computer using a hierarchical tag-based  
25 structure, as claimed.

Applicant respectfully disagrees and traverses the Office's rejection. The cited excerpts from columns 5 and 6 describe an embodiment of a user interface, including toolbars, windows, panes, and handles. There is no mention of *files that define different aspects of a media player user interface*, as claimed.

Further, the cited excerpt of column 15 discusses the information pane which includes information about a music selection. There is no discussion of *organizing files using a hierarchical tag-based structure to establish a relationship between the files*, as claimed.

To assist the Office in appreciating a hierarchical, tag-based organization, Applicant directs the Office's attention to figure 9 of the application, which is reproduced below. There, an exemplary metafile 900 in the form of an XML file is illustrated. The metafile essentially defines a playlist for the media player and references the media content that is contained in the WMD file.

```
<ASX version="3.0">
<SKIN href=http://myserver/myborder.wmz/> 900
<ENTRY>
<REF href=http://myserver/content/song.wma/> 902
</ENTRY> 904
</ASX>
```

**Fig.9**

The excerpts cited by the Office neither disclose nor suggest the subject matter of this claim. Accordingly, for at least this reason, this claim is allowable.

**Claims 26 and 27** depend from claim 25 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 25, are neither

1 disclosed nor suggested in the references of record, either singly or in combination  
2 with one another. In addition, given the allowability of claim 25, the rejection of  
3 claim 27 over the combination with Van Zoest is not seen to add anything of  
4 significance.

5 **Claim 28** recites a method of accessing media content comprising:

- 6
- 7 • displaying a link to media content;
  - 8 • responsive to a user clicking on the link, *automatically downloading*  
*a file that contains at least one media content file and at least one*  
*file that is configured to provide at least a portion of a media*  
*player user interface that is specific to media content associated*  
*with the one media content file;*
  - 9 • playing the media content on a media player; and
  - 10 • responsive to said playing, automatically displaying said portion of  
11 the media player user interface.

12

13 In making out the rejection of this claim, the Office argues that Dwek  
14 anticipates the subject matter of this claim. Specifically, the Office argues that  
15 column 5, lines 21-24 discloses automatically downloading a file that contains at  
16 least one media content file and at least one file that is configured to provide at  
17 least a portion of a media player user interface that is specific to media content  
18 associated with the one media content file.

19 Applicant respectfully disagrees and traverses the Office's rejection. As  
20 discussed above, this excerpt of Dwek merely discusses a streaming music  
21 interface which receives compressed song files as data packets and formats them  
22 into a streamlining compressed *song file*. No mention is made of *a file that*  
23 *contains at least one media content file and at least one file that is configured to*  
24 *provide at least a portion of a media player user interface*, as claimed.

1        This excerpt cited by the Office neither discloses nor suggests the subject  
2 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

3        **Claims 29 and 30** depend from claim 28 and are allowable as depending  
4 from an allowable base claim. These claims are also allowable for their own  
5 recited features which, in combination with those recited in claim 28, are neither  
6 disclosed nor suggested in the references of record, either singly or in combination  
7 with one another.

8        **Claim 31** recites one or more computer-readable media having computer  
9 readable instructions thereon which, when executed by a computer, cause the  
10 computer to:

- 11        • display a link to media content;
- 12        • responsive to a user clicking on the link, *automatically download a*  
13        *file that contains at least one media content file and at least one*  
14        *file that is configured to provide at least a portion of a media*  
15        *player user interface that is specific to media content associated*  
16        *with the one media content file;*
- 17        • play the media content on a media player; and
- 18        • responsive to playing the media content, automatically display said  
19        portion of the media player user interface.

20        In making out the rejection of this claim, the Office argues that Dwek  
21 anticipates the subject matter of this claim. Specifically, the Office argues that  
22 column 5, lines 21-24 discloses automatically downloading a file that contains at  
23 least one media content file and at least one file that is configured to provide at  
24 least a portion of a media player user interface that is specific to media content  
25 associated with the one media content file.

26        Applicant respectfully disagrees and traverses the Office's rejection. As  
27 discussed above, no mention is made of *a file that contains at least one media*

1      ***content file and at least one file that is configured to provide at least a portion of***  
2      ***a media player user interface,*** as claimed.

3      This excerpt cited by the Office neither discloses nor suggests the subject  
4      matter of this claim. Accordingly, for at least this reason, this claim is allowable.

5      **Claim 32** recites a media delivery mechanism comprising:

- 6
- 7      • ***a single file comprising:***
    - 8        ○ ***one or more media content files*** associated with content that can  
9        be played on a media player;
    - 10       ○ ***one or more content-specific files*** that can be processed to  
11       provide a content-specific user interface associated with content  
12       that is played on the media player; and
    - 13       ○ ***a relationship between the one or more media content files and***  
14       ***the one or more content-specific files*** such that a content-  
15       specific user interface is displayed on a computer when the  
16       content associated with the one or more media content files is  
17       played on the media player.

14      In making out the rejection of this claim, the Office argues that Dwek  
15      anticipates the subject matter of this claim. Specifically, the Office argues that  
16      Dwek discloses a media delivery mechanism comprising a single file. The Office  
17      then argues that column 7, lines 3-20, discloses one or more content-specific files  
18      that can be processed to provide a content-specific user interface associated with  
19      content that is played on the media player. The Office further argues that column  
20      15, lines 14-18, discloses one or more media content files associated with content  
21      that can be played on a media player and a relationship between the one or more  
22      media content files and the one or more content-specific files, as claimed.

23      Applicant respectfully disagrees and traverses the Office's rejection. The  
24      excerpts cited by the Office do not disclose ***a single file comprising: one or more***

1        ***media content files, one or more content-specific files, and a relationship***  
2        ***between the one or more media content files and the one or more content-***  
3        ***specific files,*** as claimed. As discussed above, the cited excerpt of column 15  
4        discusses the information pane which includes information about a music  
5        selection. Additionally, the cited excerpt of column 7 discusses the user's option  
6        of selecting songs from the on-line music database to be played in any order or  
7        alternatively creating playlists of songs to be delivered to the user's music player.  
8        Applicant fails to see any connection in these excerpts to the subject matter in this  
9        claim.

10      These excerpts cited by the Office neither disclose nor suggest the subject  
11     matter of this claim. Accordingly, for at least this reason, this claim is allowable.

12      **Claims 33-38** depend from claim 32 and are allowable as depending from  
13     an allowable base claim. These claims are also allowable for their own recited  
14     features which, in combination with those recited in claim 32, are neither disclosed  
15     nor suggested in the references of record, either singly or in combination with one  
16     another. In addition, given the allowability of claim 32, the rejection of claim 34  
17     over the combination with Van Zoest is not seen to add anything of significance.

18      **Claim 39** recites a method of providing a media delivery mechanism  
19     comprising:

- 20
- 21        • providing ***one or more media-specific files***, the files being  
22        configured to provide at least a portion of a media player user  
23        interface, said portion being associated with ***specific media*** that can  
24        be played on a media player;
  - 25        • providing ***one or more media content files associated with media***  
          ***that can be played on a media player embodying the media player***  
          ***user interface,*** said media content files comprising the specific

- 1 media with which the media player user interface portion is  
2 associated; and  
3 • defining *one or more metafiles that associate the one or more*  
4 *media-specific files with the one or more media content files*, the  
5 one or more metafiles being configured for processing such that  
when the media player plays media associated with a media content  
file, the media player automatically renders the media player user  
interface portion.

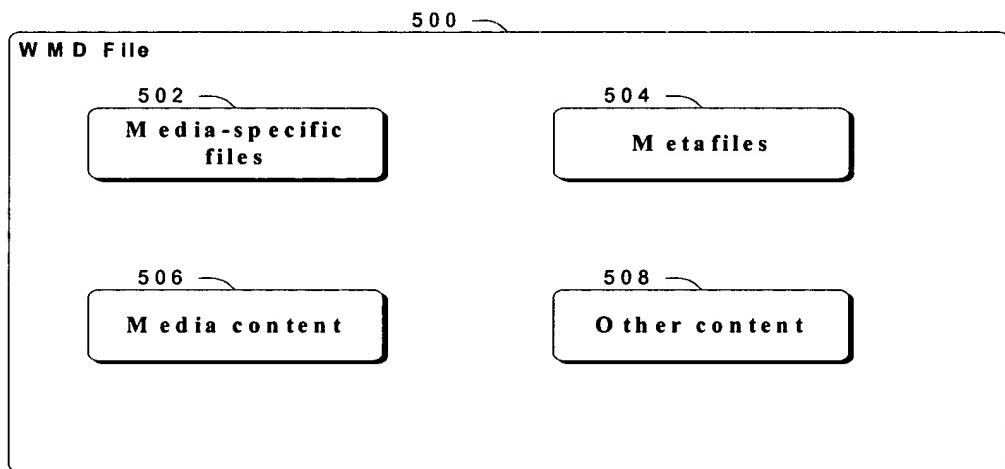
6  
7 In making out the rejection of this claim, the Office argues that Dwek  
8 anticipates the subject matter of this claim. Specifically, the Office argues that  
9 column 5, lines 21-24 discloses providing one or more media-specific files  
10 configured to provide at least a portion of a media player user interface, where the  
11 portion is associated with specific media that can be played on a media player.  
12 Further, the Office argues that columns 5, 6, and 15 disclose defining one or more  
13 metafiles that associate the one or more media-specific files with the one or more  
14 media content files, as claimed (citing column 5, lines 34-40; column 5, line 63 to  
15 column 6, line 6; and column 15, lines 14-18).

16 Applicant respectfully disagrees and traverses the Office's rejection. As  
17 discussed above, column 5, lines 21-24 merely discusses a streaming music  
18 interface that receives compressed song files as data packets and formats them into  
19 a streamlining compressed *song file*. No mention is made of providing *one or*  
*more media-specific files*, as claimed.

20 Further, the cited excerpts from columns 5 and 6 describe an embodiment  
21 of a user interface, including: toolbars, windows, panes, and handles. The cited  
22 excerpt of column 15 discusses the information pane which includes information  
23 about a music selection. There is no mention of *one or more metafiles that*  
*associate the one or more media-specific files with the one or more media*  
24  
25

1      ***content files***, as claimed.

2      To assist the Office in appreciating but one example of a metafile that  
3      associates one or more media-specific files with one or more media content files,  
4      Applicant directs the Office's attention to Figure 5 in the application, which is  
5      reproduced below for the convenience of the Office. Figure 5 illustrates but ***one***  
6      ***embodiment*** in which one or more media-specific files are associated with one or  
7      more media content files via one or more metafiles.



16      **Fig . 5**

18      In this embodiment, WMD file 500 comprises media content 506 and  
19      media-specific files 502. The ***media-specific files*** 502 may comprise a .wmz file  
20      that defines a skin or border. ***The media-specific files and the media content files***  
21      ***(or content) are linked by virtue of a relationship that is defined in the metafile***  
22      ***504. By virtue of this relationship, any time the media content is played by the***  
23      ***media player, the media-specific files 502 (i.e. the skin or border) can be***  
24      ***automatically rendered and presented to the user.*** Hence, as illustrated by this

1 embodiment, it should be clear that the subject matter in this claim is quite  
2 different from the subject matter disclosed in Dwek.

3 The excerpts cited by the Office neither disclose nor suggest the subject  
4 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

5 **Claims 40-44** depend from claim 39 and are allowable as depending from  
6 an allowable base claim. These claims are also allowable for their own recited  
7 features which, in combination with those recited in claim 39, are neither disclosed  
8 nor suggested in the references of record, either singly or in combination with one  
9 another. In addition, given the allowability of claim 39, the rejection of claim 41  
10 over the combination with England, and claim 43 over the combination with Van  
11 Zoest, is not seen to add anything of significance.

12 **Claim 45** recites a method of providing media content over a network  
13 comprising:

- 14
- 15     • receiving input requesting that a file be sent to a client computer, the  
16         file comprising:
    - 17             ○ ***one or more media content files*** associated with content that can  
18                 be played on a media player on the client computer,
    - 19             ○ ***one or more media-specific files*** that can be processed to provide  
20                 a content-specific user interface, and
    - 21             ○ ***one or more metafiles that establish a relationship between the  
22                 one or more media content files and the one or more media  
23                 specific files*** such that a content-specific user interface is  
24                 displayed when the content is played on the media player; and
  - 25     • sending the requested file to the client computer.

22 In making out the rejection of this claim, the Office argues that Dwek  
23 anticipates the subject matter of this claim. Specifically, the Office argues that  
24 column 5, lines 25-33 discloses one or more media-specific files that can be  
25

1 processed to provide a content-specific user interface. Additionally, the Office  
2 argues that columns 5, 6, and 15 disclose one or more metafiles that establish a  
3 relationship between the one or more media content files and the one or more  
4 media specific files, as claimed (citing column 5, lines 34-40; column 5, line 63 to  
5 column 6, line 6; and column 15, lines 14-18).

6 Applicant respectfully disagrees and traverses the Office's rejection.  
7 Column 5, lines 25-33, merely discusses decompressing a compressed song file  
8 on-the-fly to a song file in a general purpose playable format. No mention is made  
9 of providing ***one or more media-specific files***, as claimed. Further, as discussed  
10 above regarding the cited excerpts of columns 5, 6 and 15, there is no mention of  
11 ***one or more metafiles that associate the one or more media-specific files with***  
12 ***the one or more media content files***, as claimed.

13 The excerpts cited by the Office neither disclose nor suggest the subject  
14 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

15 **Claims 46-49** depend from claim 45 and are allowable as depending from  
16 an allowable base claim. These claims are also allowable for their own recited  
17 features which, in combination with those recited in claim 45, are neither disclosed  
18 nor suggested in the references of record, either singly or in combination with one  
19 another. In addition, given the allowability of claim 45, the rejection of claim 48  
20 over the combination with Van Zoest is not seen to add anything of significance.

21 **Claim 50** recites a server computer comprising:

- 22
- 23     • at least one computer-readable media; and
  - 24     • computer-readable instructions resident on the computer-readable  
      media which, when executed by the server, cause the server to:
    - 25       ○ maintain multiple files, each file comprising:

- 1      ▪ ***one or more media content files*** associated with content that
- 2      can be played on a media player on the client computer,
- 3      ▪ ***one or more media-specific files that can be processed to***
- 4      ***provide a content-specific user interface*, and**
- 5      ▪ ***one or more metafiles that establish a relationship between***
- 6      ***the one or more media content files and the one or more***
- 7      ***media specific files*** such that a content-specific user interface
- 8      is displayed when the content is played on the media player;
- 9      ○ receive input requesting that one or more of the multiple files be
- 10     sent to a client computer; and
- 11     ○ send the one or more requested files to the client computer.

8      In making out the rejection of this claim, the Office argues that Dwek  
9      anticipates the subject matter of this claim. Specifically, the Office argues that  
10     columns 5, 6, and 15 disclose one or more media-specific files that can be  
11     processed to provide a content-specific user interface and one or more metafiles  
12     that establish a relationship between the one or more media content files and the  
13     one or more media specific files, as claimed (citing column 5, lines 34-40; column  
14     5, line 63 to column 6, line 6; and column 15, lines 14-18).

15     Applicant respectfully disagrees and traverses the Office's rejection. As  
16     discussed above regarding these cited excerpts of columns 5, 6 and 15, there is no  
17     mention of ***one or more media-specific files***, as claimed, or of ***one or more***  
18     ***metafiles that establish a relationship between the one or more media content***  
19     ***files and the one or more media specific files***, as claimed.

20     The excerpts cited by the Office neither disclose nor suggest the subject  
21     matter of this claim. Accordingly, for at least this reason, this claim is allowable.

22     **Claim 51** recites a method for playing media content on a media player  
23     comprising:

- 24
- 25      • receiving a file with a client computer, the file comprising:

- 1
  - ***one or more media content files*** associated with content that can
  - 2      be rendered on a media player on the client computer,
  - 3      ○ ***at least one media-specific file that can be processed to provide***
  - 4      ***a content-specific user interface***, and
  - 5      ○ ***at least one metafile that establishes a relationship between the***
  - 6      ***media content files and the media-specific files*** such that a
  - 7      content-specific user interface is provided when the content
  - 8      associated with the content files is played on the media player;
  - 9      • playing content associated with the content files on the media player
  - 10     embodied on the client computer; and
  - 11     • while playing the content on the media player, displaying the
  - 12     content-specific user interface.

In making out the rejection of this claim, the Office argues that Dwek anticipates the subject matter of this claim. Specifically, the Office argues that column 5, lines 21-24 discloses at least one media-specific file that can be processed to provide a content-specific user interface and at least one metafile that establishes a relationship between the media content files and the media-specific files, as claimed.

Applicant respectfully disagrees and traverses the Office's rejection. As discussed above, this excerpt of Dwek merely discusses a streaming music interface which receives compressed song files as data packets and formats them into a streamlining compressed ***song file***. No mention is made of ***at least one media-specific file or of at least one metafile that establishes a relationship between the media content files and the media-specific files***, as claimed.

The excerpts cited by the Office neither disclose nor suggest the subject matter of this claim. Accordingly, for at least this reason, this claim is allowable.

**Claims 52-54** depend from claim 51 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 51, are neither disclosed

1 nor suggested in the references of record, either singly or in combination with one  
2 another.

3 **Claim 55** recites a media player comprising software code that is  
4 configured to:

- 5 • receive a file with a client computer, the file comprising:
  - 6 ○ one or more media content files associated with content that can  
be rendered on the media player,
  - 7 ○ *at least one media-specific file that can be processed to provide*  
*a content-specific user interface*, and
  - 8 ○ *at least one metafile that establishes a relationship between the*  
*media content files and the media-specific files* such that a  
content-specific user interface is provided when the content  
associated with the content files is played on the media player;
- 9 • play content associated with the content files; and
- 10 • while playing the content, display the content-specific user interface.

11  
12  
13 In making out the rejection of this claim, the Office argues that Dwek  
14 anticipates the subject matter of this claim. Specifically, the Office argues that  
15 “claim 55 encompasses the same scope of the invention as that of the claim 51.  
16 Therefore, claim 55 is rejected for the same reason as the claim 51.”

17 Applicant respectfully disagrees and traverses the Office’s rejection. As  
18 discussed above, no mention is made of *at least one media-specific file or of at*  
*least one metafile that establishes a relationship between the media content files*  
*and the media-specific files*, as claimed.

19 The excerpts cited by the Office neither disclose nor suggest the subject  
20 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

21 **Claim 56** recites method for processing media content comprising:

- 22  
23  
24  
25 • receiving a file with a client computer, the file comprising:

- 1       ○ one or more media content files associated with content that can
- 2        be rendered on a media player on the client computer,
- 3       ○ *at least one media-specific file that can be processed to provide*
- 4       *a content-specific user interface, and*
- 5       ○ *at least one metafile that establishes a relationship between the*
- 6       *media content files and the media-specific files such that a*
- 7       *content-specific user interface is provided when the content*
- 8       *associated with the content files is played on the media player;* and
- 9       ○ *automatically organizing the received files in one or more*
- 10      *directories on a client computer hard drive without any*
- 11      *intervention from a user, the files being organized in a manner*
- 12      *that permits audio and visual content to be played on a media*
- 13      *player without any intervention from the user.*

10                  In making out the rejection of this claim, the Office argues that Dwek  
11          anticipates the subject matter of this claim. Specifically, the Office argues that  
12          column 15, lines 14-18 discloses at least one media-specific file that can be  
13          processed to provide a content-specific user interface and at least one metafile that  
14          establishes a relationship between the media content files and the media-specific  
15          files, as claimed. The Office further argues that column 7, lines 13-20 discloses  
16          automatically organizing the received files in one or more directories on a client  
17          computer hard drive without any intervention from a user, the files being  
18          organized in a manner that permits audio and visual content to be played on a  
19          media player without any intervention from the user.

20                  Applicant respectfully disagrees and traverses the Office's rejection. As  
21          discussed above, column 15, lines 14-18 discusses the information pane, which  
22          preferably includes information about a music selection. There is no discussion of  
23          *media-specific files that can be processed to provide a content-specific user*  
24          *interface.* Furthermore, this excerpt does not discuss *at least one metafile that*

1      *establishes a relationship between media content files and the media-specific*  
2      *files*, as claimed.

3      The excerpts cited by the Office neither disclose nor suggest the subject  
4      matter of this claim. Accordingly, for at least this reason, this claim is allowable.

5      **Claims 57-60** depend from claim 56 and are allowable as depending from  
6      an allowable base claim. These claims are also allowable for their own recited  
7      features which, in combination with those recited in claim 56, are neither disclosed  
8      nor suggested in the references of record, either singly or in combination with one  
9      another.

10     **Claim 61** recites a media player comprising software code configured to  
11    cause the media player to:

- 12     • receive a file, the file comprising:
  - 13       ○ one or more media content files associated with content that can  
14       be rendered on the media player,
  - 15       ○ *at least one media-specific file that can be processed to provide*  
*a content-specific user interface*, and
  - 16       ○ *at least one metafile that establishes a relationship between the*  
*media content files and the media-specific files* such that a  
17       content-specific user interface is provided when the content  
18       associated with the content files is played on the media player;  
19       and
  - 20       • *automatically organize the received files in one or more directories*  
*on a client computer hard drive without any intervention from a*  
*user*, the files being organized in a manner that permits audio and  
21       visual content to be played on the media player without any  
22       intervention from the user.

23     In making out the rejection of this claim, the Office argues that Dwek  
24   anticipates the subject matter of this claim. Specifically, the Office argues: "claim  
25

1       61 encompasses the same scope of the invention as that of the claim 56.  
2 Therefore, claim 61 is rejected for the same reason as the claim 56.”

3       Applicant respectfully disagrees and traverses the Office’s rejection. As  
4 discussed above, column 15 does not mention *media-specific files that can be*  
5 *processed to provide a content-specific user interface*. Furthermore, this excerpt  
6 does not discuss *at least one metafile that establishes a relationship between*  
7 *media content files and the media-specific files*, as claimed.

8       The excerpts cited by the Office neither disclose nor suggest the subject  
9 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

10      **Claim 63** recites a method of playing media content comprising:

- 11       • receiving a file with a client computer, the file comprising:
  - 12           ○ one or more media content files associated with content that can  
13           be played on a media player on the client computer,
  - 14           ○ *at least one media-specific file that can be processed to provide*  
*a content-specific user interface*, and
  - 15           ○ *at least one metafile that establishes a relationship between the*  
*media content files and the media-specific files* such that a content-specific user interface is provided when the content associated with the content files is played on the media player; and
- 16       • automatically playing content associated with the one or more media content files using a media player embodied on the client computer; and
- 17       • while playing said content, automatically displaying the content-specific user interface.

21      In making out the rejection of this claim, the Office argues that Dwek  
22 anticipates the subject matter of this claim. Specifically, the Office argues: “claim  
23 63 encompasses the same scope of the invention as that of the claim 56.  
24 Therefore, claim 63 is rejected for the same reason as the claim 56.”

1       Applicant respectfully disagrees and traverses the Office's rejection. As  
2 discussed above, column 15, lines 14-18 discusses the information pane, which  
3 preferably includes information about a music selection. There is no discussion of  
4 ***media-specific files that can be processed to provide a content-specific user***  
5 ***interface.*** Furthermore, this excerpt does not discuss ***at least one metafile that***  
6 ***establishes a relationship between media content files and the media-specific***  
7 ***files,*** as claimed.

8       This excerpt cited by the Office neither discloses nor suggests the subject  
9 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

10      **Claim 66** recites a method for playing media content comprising:

- 11      • receiving a user input;
- 12      • ***responsive to the user input and without any additional user***  
13 ***intervention, automatically:***
  - 14       ○ downloading, on a client computer, multiple files associated with  
15 media content;
  - 16       ○ organizing the multiple files on a hard drive of the client  
17 computer;
  - 18       ○ playing media associated with at least some of the files using a  
19 media player embodied on the client computer; and
  - 20       ○ rendering at least a portion of the media player to include visual  
21 content that is specific to the playing media and associated with  
22 at least some of the files that were downloaded.

23      In making out the rejection of this claim, the Office argues that Dwek  
24 discloses the subject matter of this claim. Specifically, the Office argues that  
25 Dwek discloses receiving a user input and, responsive to the user input and  
without any additional user intervention, performing the subject matter recited in  
this claim. Specifically, the Office argues that Dwek discloses downloading, on a  
client computer, multiple files associated with media content (citing to col. 5, lines

1 21-24); organizing the multiple files on a hard drive of the client computer;  
2 playing media associated with at least some of the files using a media player  
3 embodied on the client computer (citing to col. 5, lines 25-33); rendering at least a  
4 portion of the media player to include visual content that is specific to the playing  
5 media and associated with at least some of the files that were downloaded, (citing  
6 to col. 15, lines 14-18).

7       Applicant respectfully disagrees and traverses the Office's rejection.  
8 Specifically, the cited excerpts of column 5 and 15 do not disclose: ***responsive to***  
9 ***the user input and without any additional user intervention, automatically:***  
10 ***downloading, organizing, playing and rendering,*** as claimed. Applicant  
11 respectfully suggests that the Office has treated each element in isolation, without  
12 appreciating that this claim recites a method comprising, ***responsive to the user***  
13 ***input and without any additional user intervention,*** automatically performing ***all***  
14 ***the actions*** listed as elements in the claim.

15       Applicant reminds the Office of the guidance provided in MPEP  
16 2106(II)(C). Specifically, there is states that: "Office personnel may not dissect a  
17 claimed invention into discrete elements and then evaluate the elements in  
18 isolation. Instead, the claim as a whole must be considered."

19       As but one example of the method of this claim, ***as a whole***,  
20 consider the "***one-click***" process described above and in Applicant's  
21 Specification. As described in the Specification, a user, through the use of  
22 their browser, can click a link associated with a WMD file and have the  
23 entire contents of the WMD file ***downloaded to their computer and***  
24 ***organized*** so that their media player can ***automatically*** begin playing the  
25 content.

1           The excerpts cited by the Office neither disclose nor suggest the subject  
2 matter of this claim. Accordingly, for at least this reason, this claim is allowable.

3           **Claim 68** recites a media player comprising software configured to:

- 4
- 5           • receive an input;
  - 6           • ***responsive to the input and without any user intervention, automatically:***
  - 7            ○ download, on a client computer, multiple files associated with  
8            media content;
  - 9            ○ play media associated with at least some of the files using a  
10           media player embodied on the client computer; and
  - 11           ○ render at least a portion of the media player to include visual  
12           content that is specific to the playing media and associated with  
13           at least some of the files that were downloaded.

14

15           In making out the rejection of this claim, the Office argues that Dwek  
16 discloses a media player comprising software configured to: receive an input and,  
17 responsive to the input and without any user intervention, automatically perform  
18 the actions recited in this claim—specifically, download, on a client computer,  
19 multiple files associated with media content (citing to col. 7, lines 13-20); play  
20 media associated with at least some of the files using a media player embodied on  
21 the client computer (citing to col. 5, lines 21-24); and render at least a portion of  
22 the media player to include visual content that is specific to the playing media and  
23 associated with at least some of the files that were downloaded (citing to col. 15,  
24 lines 14-18).

25           Applicant respectfully disagrees and traverses the Office's rejection.  
26  
27           Specifically, the cited excerpts of column 5, 7 and 15 do not disclose a  
28 media player comprising software configured to receive an input and,  
29 ***responsive to the input and without any user intervention, automatically:***

***download, play and render,*** as claimed. Applicant once again respectfully suggests that the Office has treated each element in isolation rather than considering the claim ***as a whole.***

The excerpts cited by the Office neither disclose nor suggest the subject matter of this claim. Accordingly, for at least this reason, this claim is allowable.

### **Conclusion**

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: 11/16/04

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